IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.1103 OF 2006

Vanita Harischandra Vengurlekar..Petitioner

Vs.

The State of Maharashtra & Ors...Respondents

WITH

CHAMBER SUMMONS NO.117 OF 2006

IN

WRIT PETITION NO.1103 OF 2006

Vanita Harischandra Vengurlekar...Petitioner

Vs.

State of Maharashtara & Ors.....Respondents

And

Iftikhar Ahmed Siddiqui.....Applicant

WITH

CHAMBER SUMMONS NO.152 OF 2006

IN

WRIT PETITION NO.1103 OF 2006

Vanita Harischandra Vengurlekar...Petitioner

Vs.

State of Maharashtara & Ors.....Respondents

And

Anusaya Gangaram Dawal ..Applicant

Ms. Usha Purohit, for the Petitioner

Mr. G.W. Mattos, AGP for Respondents.

Mr. J. Rais, Senior Counsel with Mr. Ramesh Ramamurthi for Applicant in Chamber Summons No.117 of 2006

Mr. R.V. Govilkar for Applicant in Chamber Summons No.152 of 2006

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 27TH JUNE,2006

P.C.

. The affidavit of Ashok Nagurao Karanjkar, Deputy Chief Officer (Reconstructed Tenements), Mumbai Building Repairs and Reconstruction Board at para.6 has been reproduced the relevant provisions in the matter of allotment. The same reads as under:-

> "If any occupier cannot be accommodated in the reconstructed building, the competent officer, shall provide him with an alternative accommodation in any Transit Camp or in any other reconstructed building on the basis of his seniority in the Master List maintained for the purpose depending upon the period of his stay in the Transit Camp."

. It is thus clear from the above Rule that it

lays down the guidelines for allotment of premises. The said affidavit also sets out in para.5 names of four applicants who have applied for Flat No.601. The petitioner is shown as one such applicant at Serial No.2.

2. Shri Iftikhar Ahmed Siddiqui has taken out a Chamber Summons No.117 of 2006 and our attention is invited to the order of this Court dated 12th April, 2006 in Writ Petition Lodging No.527 of 2006. After hearing the parties therein we had issued certain directions. Needless to say that the respondents will be bound by such direction.

3. Smt.Anusaya Gangaram Dawal is another applicant in Chamber Summons No..152 of 2006 in Writ Petition NO.1103 of 2006. It is the case of the said applicant that she is the senior most and also entitled to the premises, but the case of the said applicant has yet to be decided. On behalf of the respondents Shri Mattos on taking instructions makes a statement that the case of Smt.Anusaya G. Dawal will be considered and her eligibility will be disposed of within a period of one week from today.

4. In so far as Iftikhar Ahmed Siddiqui is concerned, direction of this Court will be complied with within a period of three weeks from today.

5. After complying with the direction as now set

out the respondents to decide in terms of the Rule quoted above as to who is entitled to Flat No.601 and accordingly make allotment thereafter at any rate not later than six weeks from today.

. With the above direction petition stands disposed of along with Chamber Summonses.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**